REMARKS

Claims 1-14 are currently pending in the subject application. In this Amendment "B", Applicant has amended claim 9 to address objections raised by the Examiner. Reconsideration of the application in its current format is hereby respectfully requested.

In the Office action, the Examiner objected to claim 9 because it depended from itself and recited "the attenuating resistor", which does not have antecedent basis. Applicant has amended claim 9 to correct these deficiencies.

The Examiner has rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over German Patent Document DE1265836 to Peiser et al. (hereinafter "Peiser"), in view of U.S. Patent No. 4,794,948 to Schempp (hereinafter "Schempp). The Examiner has rejected claims 2-5 under 35 U.S.C. §103(a) as being unpatentable over Peiser in view of Schempp, as applied to claim 1, and further in view of U.S. Patent No. 3,467,903 to Streater (hereinafter "Streater"). The Examiner has rejected claims 6-7 and 9-10 under 35 U.S.C. §103(a) as being unpatentable over Peiser in view of Schempp, as applied to claims 1 and 8, and further in view of U.S. Patent No. 5,939,839 to Robel et al. (hereinafter "Robel"). The Examiner has rejected claims 11-14 under 35 U.S.C. §103(a) as being unpatentable over Peiser in view of Schempp and Robel, as applied to claim 10, and further in view of Streater. Applicant traverses these rejections for at least the reasons set forth below.

Peiser discloses a power system comprising transformers WR, WS, WT having primary windings wr_1, ws_1, wt_1, secondary windings wr_2, ws_2, wt_2, and auxiliary windings wr_3, ws_3, wt_3 (see e.g. Fig. 1 and pages 5-6 of the English translation). The auxiliary windings wr_3, ws_3, wt_3 are connected to a circuit having a resistor R connected in series

with contacts rr, rs, rt, of relays RR, RS and RT. Coils of the relays RR, RS, RT are connected to the secondary windings wr_2, ws_2, wt_2. During normal operation of the power system, the coils of the relays RR, RS and RT are energized and the contacts rr, rs and rt are closed, thereby connecting the resistor R to the auxiliary windings wr_3, ws_3, wt_3 (see translation page 6). No current, however, flows through the resistor R because there is no voltage at the auxiliary windings wr_3, ws_3, wt_3. When relaxation oscillations occur, a voltage is produced at the auxiliary windings wr_3, ws_3, wt_3 and current flows through the resistor R. In the event of a breakdown that occurs in the presence of a ground leak, one of the coils for the relays RR,RS, RT will become de-energized, thereby opening the associated contact. As a result, the resistor R is disconnected from the auxiliary windings wr_3, ws_3, wt_3, which prevents the thermal destruction of the voltage transformers (see translation page 7). If the resistance R remained connected, the high current through the resistor would destroy the transformer over time (see translation page 3).

As acknowledged by the Examiner, Peiser fails to disclose a thermal fuse and an element with a threshold voltage and current characteristic connected in series between the output of the auxiliary secondary winding of one of the single-phase transformers and the resistor R. The Examiner, however, cites Schempp as teaching these elements. The Examiner finds the PTC resistor 21 (really 24) of Schempp as corresponding to the recited "thermal fuse" and finds the LED 23 of Schempp as corresponding to the recited "element with a threshold voltage and current characteristic". In combining Schempp and Peiser, the Examiner states:

> "It would have been obvious to one of ordinary skill in the art at the time the invention was ade to have modified the protective switching device of Preiser et al. with the thermal fuse connected in series with the element with an threshold voltage and current characteristic and a resistor as taught by Schempp to protect the circuit

components of Peiser et al. from over-currents conditions."

Applicant submits that the Examiner has failed to provide a proper rationale for combining Schempp with Peiser, as the Examiner has done. Peiser already has over-current protection in the form of the relays RR,RS, RT. As set forth above, the contacts of one or more of the relays RR, RS, RT open when there is a high current situation, such as is caused by a ground leak. If the Peiser system already has over-current protection, there is no motivation to add the components (PTC resistor 24 and LED 23) of Schempp to the Peiser system. Also, even if the LED 23 of Schempp were somehow construed to be an element with a threshold voltage and current characteristic, there is no reason to add the LED 23 to the Peiser system.

In addition to there being no motivation to combine Peiser and Schempp, Applicant submits that Peiser, in fact, teaches away from such a combination. In discussing the prior art, Peiser states that "*voltage-dependent (non-linear) resistance is not satisfactory*" (see page 4 of the translation). In other words, a varistor is not satisfactory. As disclosed in the subject application, a varistor can be used as the element with a threshold voltage and current characteristic. Thus, Peiser teaches that the use of an element with a threshold voltage and current characteristic is not satisfactory. In other words, Peiser teaches away from adding an element with a threshold voltage and current characteristic.

For at least the foregoing reasons, Applicant submits that the Examiner has failed to establish a prima facie case of obviousness in rejecting claims 1 and 8 based on Peiser and Schempp.

Applicant submits that neither Streater nor Robel cure the foregoing deficiencies of Peiser and Schempp. Accordingly, Applicant submits that claims 1-14 are patentable over

Peiser, Schempp, Streater and Robel, individually and in combination.

Based on the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Respectfully submitted,
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